UNITED NATIONS

General Assembly

FORTY-EIGHTH SESSION

Official Records

FIFTH COMMITTEE
61st meeting
held on
Friday, 8 April 1994
at 7 p.m.
New York

SUMMARY RECORD OF THE 61st MEETING

Chairman: Mr. HADID (Algeria)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

CONTENTS

TRIBUTE TO THE MEMORY OF MR. CYPRIEN NTARYAMIRA, PRESIDENT OF BURUNDI AND OF MR. JUVENAL HABYARIMANA, PRESIDENT OF RWANDA

AGENDA ITEM 17: APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS (continued)

(b) APPOINTMENT OF A MEMBER OF THE COMMITTEE ON CONTRIBUTIONS (continued)

AGENDA ITEM 133: FINANCING OF THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA (continued)

AGENDA ITEM 159: FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991 (continued)

AGENDA ITEM 136: FINANCING OF THE UNITED NATIONS PROTECTION FORCE (continued)

RIGHTS OF REPLY

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.5/48/SR.61
11 May 1994
ENGLISH
ORIGINAL: FRENCH

94-80694 (E)

The meeting was called to order at 7.25 p.m.

TRIBUTE TO THE MEMORY OF MR. CYPRIEN NTARYAMIRA, PRESIDENT OF BURUNDI AND OF MR. JUVENAL HABYARIMANA, PRESIDENT OF RWANDA

1. The CHAIRMAN, speaking on behalf of the members of the Committee, paid tribute to the memory of Mr. Cyprien Ntaryamira, President of Burundi, and of Mr. Juvenal Habyarimana, President of Rwanda. He requested the delegations of Burundi and Rwanda to convey the Committee's sincere condolences to their respective Governments and to the families of the two Presidents. He also expressed sympathy to the Belgian Government and to the families of the Belgian soldiers who had died in Rwanda in the service of the United Nations.

2. At the invitation of the Chairman, the members of the Committee observed a minute of silence in tribute to the memory of Mr. Cyprien Ntaryamira, President of Burundi, and of Mr. Juvenal Habyarimana, President of Rwanda.

AGENDA ITEM 17: APPOINTMENTS TO FILL VACANCIES IN SUBSIDIARY ORGANS AND OTHER APPOINTMENTS (continued)

(b) APPOINTMENT OF A MEMBER OF THE COMMITTEE ON CONTRIBUTIONS (continued) (A/48/102/Add.3; A/C.5/48/21/Add.1)

3. The CHAIRMAN drew attention to a note by the Secretary-General (A/48/102/Add.3) notifying the General Assembly that Mr. Imre Karbuczky (Hungary) had resigned from the membership of the Committee on Contributions. A candidate would therefore have to be appointed to fill the unexpired portion of Mr. Karbuczky's term of office, that is, until 31 December 1994. In the same document, the Secretary-General notified the Assembly that the Government of Latvia had nominated Mr. Uldis Blukis to fill the vacancy.

4. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to recommend by acclamation the appointment of Mr. Blukis to membership of the Committee on Contributions, for a term of office beginning on the day on which the appointment was approved by the General Assembly and concluding on 31 December 1994.

5. It was so decided.

AGENDA ITEM 133: FINANCING OF THE UNITED NATIONS MISSION FOR THE REFERENDUM IN WESTERN SAHARA (continued) (A/C.5/48/L.62)

6. Mr. ACAKPO-SATCHIVI (Secretary of the Committee) informed the members of the Committee that, in paragraph 13 of draft resolution A/C.5/48/L.62 concerning the financing of the United Nations Mission for the Referendum in Western Sahara (MINURSO), the phrase "in the light of Security Council resolution 907 (1994)" had been replaced by the following: "pending the consideration of his report on the detailed financial and administrative implications arising from Security Council resolution 907 (1994)."

7. Mr. MERIFIELD (Canada), introducing the draft resolution in the place of the Rapporteur, noted that financing for the Mission would be assured up to the end of July 1994 by utilizing some of the unencumbered balance of appropriations and that, consequently, it would not be necessary to launch a new appeal for funds. He hoped that the draft resolution would be adopted without a vote.

8. Mr. KHENE (Algeria) recalled that it had been agreed to replace, in paragraph 15, the words "the Mission" by "MINURSO" and the phrase "the resumed forty-eighth session" by "the resumed session of the General Assembly".

9. Mr. ACAKPO-SATCHIVI (Secretary of the Committee) explained that document A/C.5/48/L.62 had been submitted the previous day, Thursday, 7 March. That was why it did not fully reflect the agreement which had been reached only that morning.

10. Mr. ZAHID (Morocco) observed that paragraph 15 could only refer to the resumed forty-eighth session of the General Assembly, at which the Secretary-General, in compliance with the above-mentioned paragraph, was required to submit a report before the end of April 1994. He hoped that in paragraph 15 of the French version, the word "question" would be deleted and the phrase "lui rendre compte" replaced by "lui faire rapport". It had been agreed that the review of the senior management structure of MINURSO would have to do with the post of Deputy Special Representative of the Secretary-General and the upgrading of that post to the rank of Assistant Secretary-General.

11. Mr. TAKASU (Controller) drew the attention of the members of the Committee to the fact that the gross amount of expenditure which the Secretary-General was authorized to commit, namely $3.7 million per month, should be sufficient to cover expenses for the month of April, but might be insufficient to cover expenses for the months of May to July. The Secretary-General might therefore be obliged to approach the Advisory Committee to request the amounts necessary for the operation of the Mission for the period from 11 May to 31 July 1994.

12. The CHAIRMAN said that, if he heard no objection, he would take it that the members of the Committee were ready to take action on draft resolution A/C.5/48/L.62, as orally amended.

13. It was so decided.

14. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.5/48/L.62, as orally amended, without a vote.

15. It was so decided.

16. Mr. GRANT (United States of America) said that, as his delegation understood it, the resumed session of the Assembly mentioned in paragraph 15 of the resolution did indeed refer to the resumed forty-eighth session.

17. Mr. ZAHID (Morocco) expressed satisfaction at the adoption of the draft resolution. He hoped that it would speed up the identification and registration activities leading up to the organization of a referendum before the end of 1994. Out of concern that MINURSO should have the resources to attain that objective, his delegation had made every effort during the elaboration of the draft resolution to provide the Mission with suitable senior management and with adequate funding. It was in that spirit, and in the light of the expansion of activities provided for in Security Council resolution 907 (1994), that it had proposed the reinstatement of a regular post of Special Representative, instead of using the services of a Special Representative only when the need arose, in accordance with the novel formula recommended by the Advisory Committee. For the same reasons, it had also proposed to restore the post of Assistant Secretary-General envisaged for the Deputy Special Representative in the first budget submitted by the Secretary-General, but not approved by the Advisory Committee. In the view of the Moroccan delegation, the formulation contained in paragraph 15 - which it had accepted to meet the concerns of certain delegations - meant that the General Assembly was inviting the Secretary-General to re-examine those two issues in the light of the Security Council resolution and to submit a report thereon to the Assembly at its resumed forty-eighth session, that is to say, before the end of April. Finally, his delegation hoped that the Advisory Committee would agree to reconsider its position.

18. Mr. KHENE (Algeria) expressed surprise at the repeated criticisms of his country by one delegation. Indeed, during the consideration of the draft resolution, his delegation's only concern had been to ensure adequate financing for MINURSO. It was surprised that the Moroccan delegation had persisted in its own interpretation of the Secretary-General's prerogatives. In contrast, in order to avoid complications that might lead to a deadlock, the Algerian delegation had attempted throughout the debate to preserve the status of the parties with due regard for the established procedures and to avoid politicization of the issue. It was in a spirit of compromise that it had accepted the mention in paragraph 15 of modalities of micro-management that were the responsibility of the Secretary-General.

19. The Moroccan delegation's sole aim in adducing irrelevant arguments in the course of a technical negotiation on the financing of a peace-keeping operation seemed to have been to create confusion. Thus, it had referred to Algeria as the "other party" knowing full well that Algeria was not a party to the conflict between the Kingdom of Morocco and the Frente POLISARIO but was concerned only as a neighbouring country whose cooperation was recognized, especially by the Secretary-General, as a sine qua non of the success of the peace plan. In that connection he recalled that Algeria was making an important financial contribution to MINURSO.

20. As an Algerian, he was unpleasantly surprised to hear the representative of Morocco, in unacceptable terms, casting doubt on the impartiality of the Bureau and, in particular, that of the Chairman of the Committee. When Morocco was sitting on the Security Council precisely when the Council was discussing the question of Western Sahara, the Algerian delegation had never gone so far as to claim that Morocco was both judge and judged because that would have been contrary to its conception of the code of conduct that should prevail in relations between States.

(Mr. Khene, Algeria)

21. The newspaper Al-Watan, which had been mentioned repeatedly by one delegation, was a new independent daily whose director had recently received a prestigious award in New York precisely in recognition of that independence.

22. The CHAIRMAN said that if he heard no objections, he would take it that draft resolution A/C.5/48/L.59 had been withdrawn as a result of the adoption of draft resolution A/C.5/48/L.62.

23. It was so decided.

AGENDA ITEM 159: FINANCING OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991 (continued) (A/C.5/48/L.61)

24. The CHAIRMAN said that if he heard no objections, he would take it that the Committee wished to make an exception to rule 120 of the rules of procedure of the General Assembly in order to expedite the consideration of draft resolution A/C.5/48/L.61 without delay.

25. It was so decided.

26. Mr. DAMICO (Brazil), introducing draft resolution A/C.5/48/L.61 on behalf of the Chairman, said that by reaffirming in paragraph 1 its resolution 47/235 - particularly paragraph 6 of that resolution, which he read out - the General Assembly stressed the need to finance the Tribunal's activities through assessed contributions. He also drew attention to operative paragraphs 3 to 6 on voluntary contributions and to paragraph 7, where the Assembly accepted The Hague as the seat for the International Tribunal and defined its mandate. After highlighting the contents of operative paragraphs 8 to 12, he recommended that the draft resolution should be adopted without a vote.

27. The CHAIRMAN said that if he heard no objection, he would take it that members of the Committee were ready to take action on draft resolution A/C.5/48/L.61.

28. It was so decided.

29. The CHAIRMAN said that if he heard no objection, he would take it that the Committee wished to adopt draft resolution A/C.5/48/L.61 without a vote.

30. It was so decided.

31. Mrs. PEÑA (Mexico) deplored the fact that no reference had been made to the allocation of additional resources in the text of the resolution. Although her delegation would come back to that issue during the consideration of the method of financing of the International Tribunal, it wished to reaffirm its opinion that the Tribunal should not be financed from the Organization's regular budget but from a special account funded on the basis of the scale of assessments used for the financing of activities under Chapter VII of the Charter.

32. Mrs. GOICOCHEA (Cuba) said that the Tribunal must be assured of secure and stable financing. The seat and method of financing of the Tribunal must be decided upon solely by the Member States. Like the representative of Mexico, she deplored the fact that the resolution did not contain a paragraph on additional resources. Moreover, the conditions of service of the judges should be finalized when the report requested in paragraph 11 of the resolution was considered. Her delegation attached great importance to the endorsement of resolution 47/235, in particular its paragraphs 2, 3, 4 and 6 as well as operative paragraph 7 of the draft resolution, in which the General Assembly accepted The Hague as the seat of the Tribunal and defined its mandate. In that connection, she would like the text of operative paragraph 7 of the Spanish version to be brought into line with paragraph 2 of Security Council resolution 827 (1993).

33. Mr. GOKHALE (India) said that his delegation had joined in the consensus on the understanding that the adoption of the draft resolution in no way prejudged the method of financing of the International Tribunal's activities. The expenses incurred by those activities should be allocated in conformity with the scale used for peace-keeping operations.

34. Mr. NDOBOLI (Uganda) welcomed the spirit of cooperation which had led to the adoption of the draft resolution. His delegation saw the debate as hinging on three points: the sole aim of the Tribunal was to judge crimes committed on the territory of the former Yugoslavia; its activities would be financed from resources other than those provided under the regular budget; it was up to the General Assembly to decide on the administrative and budgetary implications of its activities.

35. Mr. TAKASU (Controller) welcomed the adoption of the draft resolution. He hoped that the resources needed for the functioning of the Tribunal would be approved and collected with dispatch. The Secretariat was of the opinion that the authorization given by the General Assembly to the Secretary-General to enter into commitments for a maximum amount of $11 million for 1994 and to make the arrangements provided for under paragraph 10 of the draft resolution meant that the Secretary-General could take a number of measures immediately: offer the judges a fixed basic annual salary for the duration of their term; recruit the required staff for a year even though that would extend to the period beyond that of the spending authority; sign a four-year lease for the necessary premises including detention facilities. Should the cash flow of the Organization cause problems in meeting the Tribunal's needs, the Secretary-General would inform Member States so that they could take the necessary action.

36. Mr. BARIMANI (Islamic Republic of Iran) said that the Controller's statement should be distributed to the delegations.

AGENDA ITEM 136: FINANCING OF THE UNITED NATIONS PROTECTION FORCE (continued) (A/48/690/Add.1 and 2 and A/48/878/Add.1)

37. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, in its report of 21 March 1994 (A/48/819/Add.2) the Fifth Committee had recommended to the General Assembly, which had agreed, that the Secretary-General should be authorized to enter into commitments at a

rate not to exceed $95.4 million gross ($94.5 million net) per month for the period from 1 April to 31 July 1994 should the Security Council decide to extend the mandate of UNPROFOR. The amount to be apportioned among Member States ($286.2 million gross, $283.5 million net) corresponded to the expenses not for four months, but for only three months, on the basis of a force of 34,700 contingent personnel, including 8,105 support staff.

38. The Security Council had subsequently extended the mandate of the Force for six months. In his report (A/48/690/Add.1), the Secretary-General proposed an increase of 8,250 contingent personnel, 150 military observers and 275 civilian police monitors, and requested authorization to enter into commitments for that purpose in the amount of $151.2 million gross ($150.9 million net) for the period from April to July, as indicated in paragraph 3 of the report of the Advisory Committee (A/48/878/Add.1). In paragraph 12 of his report, the Secretary-General requested the General Assembly to apportion among Member States the amount of $48.8 million gross ($48.6 million net) to cover the recurring costs based on the extension of the mandate of UNPROFOR. In its resolution 908 (1994), however, the Security Council had authorized an increase in the personnel of the Force of up to 3,500 troops, 20 military observers, 120 support staff and 20 civilian police monitors.

39. After having examined the Secretary-General's proposals, the Advisory Committee recommended that the General Assembly should authorize commitments in the amount of $63.7 million gross for the period from April to July 1994, which would correspond to the limited strengthening of the Force approved by the Security Council.

40. Moreover, in paragraph 4 of his report A/48/690/Add.2, the Secretary-General requested the General Assembly to apportion the amount of $20.8 million ($20.7 million net). He believed that developments might require an increase in the strength of the Force, but he had not obtained precise details from the Secretariat in that connection. He personally was therefore not convinced that it was essential to apportion an additional amount at the current stage. The best solution therefore seemed to be to authorize the Secretary-General to enter into the commitments requested ($63.7 million gross, $63.6 million net) pending the receipt by the Advisory Committee of any further information which might come to light before the beginning of May and which might justify the apportionment of a further $20.8 million. The Secretary-General would also be submitting a detailed report on the financing of UNPROFOR by 15 June 1994.

41. Mr. TAKASU (Controller) said that the report of the Secretary-General (A/48/690/Add.1), dated 28 March 1994, gave the estimated cost for the enlargement of the mandate of UNPROFOR (consolidation of the cease-fire in and around Sarajevo, and ensuring freedom of movement for the civilian population and the delivery of humanitarian goods) decided by the Security Council in resolution 900 (1994). On 31 March 1994, the Security Council had adopted resolution 908 (1994) extending the mandate of UNPROFOR for a six-month period and authorizing an increase in troop strength of 3,660, on the understanding that it would take a decision before 30 April 1994 on the further troop requirements recommended by the Secretary-General. The Secretary-General had then drawn up new revised estimates (A/48/690/Add.2), in which all the estimated

(Mr. Takasu)

costs, with the exception of those for aircraft, had been reduced by 58 per cent to bring them into line with the number of troops authorized by resolution 908 (1994). Additional commitment authorization for expenditure in the amount of $63.6 million over a four-month period was therefore required. The Secretary-General thus requested authorization to spend an additional $15.9 million gross per month, as well as the apportionment of an amount of just over $20 million, corresponding to the total amount of renewable expenses which must absolutely be met.

42. The Special Account for UNPROFOR had a credit balance of approximately $100 million. In mid-April $31 million would have to be reimbursed to troop-contributing countries, and the monthly expenditure was of the order of $77 million. New contributions must therefore be received before the end of the month, and for that reason the Secretary-General had deemed it wise, taking into account the delays in payments, to request the apportionment of the $20 million in question.

43. Mr. MERIFIELD (Canada) expressed his amazement at the idea that a decision should be taken on proposals which had just come to the attention of his Mission. He had no doubt that his Government would agree to them in principle, but it had been absolutely impossible for him to consult it.

44. He wished to know if the Advisory Committee had received document A/48/690/Add.1 before the end of its session on 31 March, and, if so, why delegations had not received it at the same time. He also wondered why Member States had not been informed that additional estimates would be submitted so soon after the previous debate on the financing of UNPROFOR. Finally, his delegation would be proposing considerable modifications.

45. Mr. DANKWA (Ghana) shared the surprise of the representative of Canada. In the light of the report of the Advisory Committee, as orally amended by its Chairman, and in view of the lack of adequate information referred to in the last paragraph thereof, there seemed to be no point in the Committee spending any more time on the question until it was better informed. In the circumstances, moreover, the Advisory Committee would probably have decided the matter itself if the Assembly had not been in session.

46. As far as the funding situation was concerned, he would have preferred the Controller to indicate the amount of outstanding contributions, because new assessments would not resolve the problem if the amounts due were not paid. His delegation fully supported the personal position taken by the Chairman of the Advisory Committee: if the situation required that the Secretary-General should be authorized without delay to enter into commitments for expenditures essential to the implementation of Security Council decisions, the apportionment of additional amounts must still be justified. Ghana also intended to propose amendments to the draft resolution.

47. Mr. STITT (United Kingdom) acknowledged that it would be paradoxical for his country to oppose an assessment authorization when it paid its contributions within 30 days, already had a considerable number of troops in the field and had just sent reinforcements, and would receive a portion of the sums that the aforementioned assessment would help to reimburse. Nevertheless, he was not authorized to vote in favour of it.

48. The problem lay not with the substance but with the form. Admittedly, the Secretariat was to be commended on the speed with which it had drawn up the estimates, and it could not be criticized for having modified them because of an unexpected decision by the Security Council. As for the Advisory Committee, it had carried off one of its trademark feats by reviewing figures which had been submitted six days after the end of its session. His delegation must, however, express some reservations regarding a recommendation that an additional amount should be apportioned, but the matter could no doubt be settled without wasting too much time. On the other hand, his delegation had been quite disturbed to learn from that morning's Journal that two items had just been added to the two which the Committee had decided to consider when it had adjourned on 31 March. More discipline was needed in the organization of work, especially since it was hardly useful to include items in the agenda for which no delegation had been able to prepare. Finally, if the Fifth Committee and the Advisory Committee must continue to meet on an ongoing basis, that should be taken into account in the organization of work.

49. Mr. KELLY (Ireland) asked what proportion of the $286 million apportioned among the Member States at the end of March had been received. When the Advisory Committee had submitted its report, he had understood that it was not recommending the apportionment of any specific amount in the immediate future. Yet in paragraph 7 of the report in question, the Advisory Committee recommended that the General Assembly should apportion the amount of $20,794,000 gross. He would welcome clarification on that matter.

50. Mr. SPAANS (Netherlands) said that his delegation had not had time to study document A/48/878/Add.1 and that it had not received instructions from its Government. It was a well-known fact that the Netherlands was not sparing in its support for peace-keeping operations in general and for UNPROFOR in particular, but it would be dangerous to countenance a procedure which did not afford Member States an opportunity to give serious consideration to the budget proposals submitted to them or which limited them to a passive role. Furthermore, during the informal consultations, the representatives of the Secretariat had indicated on several occasions that at least 90 days would be needed to draw up a budget for UNPROFOR. His delegation would like to receive some explanation of the operating methods of the Secretariat when it drew up the budgets for peace-keeping operations.

51. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions), replying to the representative of Canada, said that the report of the Secretary-General (A/48/690/Add.1) had been transmitted to the Advisory Committee in the form of a preliminary text in English, only a few days before the end of its session. The Advisory Committee had then, on the basis of the Secretary-General's proposals, approved recommendations relating to commitment expenditures in the amount of $151.2 million gross

(Mr. Mselle)

($150.9 million net) and the apportionment of the sum of $48.8 million gross ($48.6 million net) for the period from 1 April to 31 July 1994.

52. Just before the closure of its session, the Advisory Committee had been informed that the Security Council would soon take a decision whereby it would limit the expansion of the Force proposed by the Secretary-General. As the new budget estimates (A/48/690/Add.2) had not yet been available, the Advisory Committee had authorized its Chairman to revise proportionately the figures which appeared in its recommendations on the basis of the number of personnel approved by the Security Council. The amounts initially recommended, which corresponded to the requests formulated in the Addendum to the report of the Secretary-General, represented a ceiling and it was understood that the Advisory Committee would accept the Secretary-General's latest proposals, which were revised downwards. However, after the issuance of document A/48/690/Add.2 and the adoption by the Security Council of resolution 908 (1994), he had felt that the evolution of the situation in the field might lead the Secretary-General to repeat his request for the Advisory Committee's approval of supplementary commitments by the end of April on the basis of a possible decision by the Security Council. For that reason he had indicated that the apportionment of the sum mentioned in paragraph 7 of the Advisory Committee's report ($20.8 million gross, $20.7 million net) was perhaps not necessary at the current stage.

53. Ms. SAEKI (Japan) observed that, from a procedural point of view, it was difficult for her delegation to give its opinion there and then on an authorization to enter into commitments; it was, however, equally difficult to wait until 25 April, as the Chairman had suggested. Since the Security Council could meet at any time in the event of an emergency, she did not see why the Committee could not do likewise.

54. Mr. STITT (United Kingdom) noted that many delegations were not in a position to approve an assessment during the current meeting. However, in view of the urgency of the situation, he proposed that the first three paragraphs of the text submitted by the Chairman should be adopted. The second and third paragraphs would be combined and the words "Having considered" would be replaced by the words "and pending its consideration of". The new draft decision would thus consist of two paragraphs.

55. Mr. TAKASU (Controller), replying to the representative of Canada, described the process which had resulted in the issuance of the reports under consideration. He recalled that the initial estimates of expenditure, drawn up following the adoption of Security Council resolution 900 (1994), had been issued on 28 March in document A/48/690/Add.1 and transmitted to the Advisory Committee towards the end of its session. The estimates had subsequently been revised following the adoption of Security Council resolution 908 (1994) and were the subject of a second addendum, dated 6 April. It was clear that the Secretariat could not predict the nature of a decision which was to be taken by the Security Council. In its resolution 48/238, the General Assembly had authorized the Secretary-General to enter into monthly commitments for the maintenance of UNPROFOR in an amount not to exceed $95.4 million for the period from 1 April to 31 July 1994, should the Security Council decide to extend its

mandate. That mandate had been not only extended, but enlarged. It was impossible to meet the resulting additional expenditures from the amounts already approved by the General Assembly.

56. The period of 80 to 90 days mentioned during the informal consultations represented the minimum time needed for the Secretariat to draw up a detailed budget for an operation such as UNPROFOR, with full information and an analysis of previous expenditures. In the current instance, it had taken only about a month to draw up the budget because standard costs had been utilized. The Secretary-General intended to include detailed estimates of expenditures in the report on the financing of UNPROFOR which he would be submitting to the General Assembly no later than 15 June 1994.

57. With regard to the assessed contributions, he indicated that, of the $286 million recently apportioned, approximately $34 million had been received.

58. Ms. ROTHEISER (Austria) said that, in the light of the reluctance expressed by several delegations, the Committee might take a decision only on those measures that were strictly necessary. Indeed, it would be sufficient to adopt subparagraph (c) of the draft decision submitted by the Chairman and defer pending questions to the next meeting.

59. Mr. MERIFIELD (Canada) considered that a reference to the difficulties faced by the Committee because of the late submission of documents should be included in the draft decision. He pointed out that the relevant documents had been submitted to the Committee only on 8 April and that it had therefore been unable to consider the estimates. However, since a decision had to be taken as a matter of urgency, his delegation would have no difficulty in accepting subparagraph (c).

60. Mr. DANKWA (Ghana) suggested that the Rapporteur should mention in his report to the General Assembly the difficulties the Committee had encountered with the draft decision which had been proposed and that the Committee should, at the same time, submit a recommendation on the authorization to enter into commitments.

61. Mr. MERIFIELD (Canada) said he was ready to approve a draft decision that only included subparagraph (c) on the understanding that the Rapporteur, in his report to the Assembly, would indicate that, as the documentation had not been submitted in time, it had not been possible to adopt subparagraph (d).

62. Mr. DANKWA (Ghana) and Mr. STITT (United Kingdom) supported the proposal of the representative of Canada.

63. The CHAIRMAN said he took it that the Committee would therefore wish to proceed in the following manner: the Rapporteur, in his report to the General Assembly, would indicate that the relevant documents had been submitted late and that the Committee had not been in a position to consider them fully but that, in view of the urgency of the situation, it had decided to adopt the following draft decision: "The General Assembly, decides to authorize the Secretary-General to enter into additional commitments for the maintenance of

(The Chairman)

the Force for the period 1 April to 31 July 1994 at a rate not to exceed $15.9 million gross ($15.8 million net) per month."

64. If he heard no objection, he would take it that the Committee was ready to take action on the draft text he had just read out.

65. It was so decided.

66. The CHAIRMAN said that, if he heard no objection, he would take it that the Committee wished to adopt the draft decision under consideration, without a vote.

67. It was so decided.

68. Ms. SAEKI (Japan) welcomed the adoption of the draft decision but reaffirmed that the question of the apportionment of the necessary expenditures should be dealt with formally as soon as possible. In the meantime, consultations should be held on that matter with the Secretariat.

RIGHTS OF REPLY

69. The CHAIRMAN reminded the Committee of the rules of procedure applicable to the exercise of the right of reply.

70. Mr. ZAHID (Morocco), speaking in exercise of his right of reply, said he had known that the Chairman would invoke the rules of procedure in his case whereas he had not done so when the representative of Algeria had exercised his right of reply in the form of an explanation of position after the adoption of the decision on the financing of MINURSO.

71. At the end of his statement, the representative of Algeria had praised the newspaper Al-Watan, "a new independent daily", which the Moroccan delegation had in no way criticized. However, in the interests of objectivity, the Algerian representative ought to explain how that newspaper had been able to publish articles concerning the deliberations of the Advisory Committee on such a technical matter as the conditions of employment of the Special Representative, even though the General Assembly had not been informed of it.

72. With regard to the partiality of the members of the Bureau and the Chairman, the recordings of the discussions were evidence of what had actually happened. He merely wished to draw attention to certain facts. On 31 March, after informal consultations which had not led to a consensus, he had approached the Chairman of the Committee outside the meeting room to ask about his intentions concerning the draft resolution. The Chairman had stated that if the Moroccan delegation had amendments to propose it should do so in the plenary meeting. On entering the room, he had been surprised to note that a text shown as coming from the Chairman had been placed on the table and that everything seemed ready for a vote. It was true that, the same morning, the Chairman had referred to the possibility of taking a vote. He (the representative of Morocco) had been under the impression that the Chairman was referring to MINURSO, but he might have been mistaken, in which case he apologized.

(Mr. Zahid, Morocco)

73. In any case, when he had asked the Chairman when the text that had been submitted in the latter's name would be considered, he had been told that the text had been withdrawn. When he had taken up the text in question with amendments on behalf of his own delegation, the Algerian delegation had invoked the rules of procedure which the Chairman had just waived during the discussion of other matters for which the Committee did not have the required documents. Faced by that situation - in other words, a text submitted orally by the Moroccan delegation which had been opposed only by the Algerian delegation - the Chairman had decided to suspend the meeting to enable the Secretariat to reproduce the text. However, the Chairman was aware that the Moroccan proposal was included in the text that had been withdrawn (A/C.5/48/L.59). The amendments could thus have been read out slowly, in accordance with the usual practice, and incorporated in the original text. That would have enabled the Committee to take a decision; there had been no objection to that apart from the one raised by the Algerian delegation. When the meeting had resumed, the Chairman, going back on his decision, had stated that the Moroccan delegation was well aware of the rules governing the submission of texts. That was freely admitted, but his delegation had been under the impression that the Chairman, who had earlier agreed to waive the rules, would for once have shown himself to be even-handed towards it.

74. During the meeting devoted to the consideration of the financing of MINURSO the Chairman had, on the pretext of streamlining the Committee's work, decided to put an end to the discussion that had been taking place between the Moroccan and Algerian delegations, and had gone so far as to announce that the Moroccan representative was being given the floor for the last time. The Chairman normally allowed the discussion to continue until it was finished. Contrary to some innuendoes, when he, in his capacity as Vice-Chairman, had presided over meetings of the Committee, he had never refused any delegation the right to express its concerns. As he had stressed at an informal meeting, his delegation had not been treated objectively. Nevertheless, he would not have raised the issue of the Chairman's bias if the Algerian delegation had not reopened the subject, even though it had already exercised its right of reply at an informal meeting.

75. The Algerian delegation had also reopened the question of referring to Algeria as a party. During informal consultations, the representative of Morocco had wished to reaffirm that Algeria had the status of an observer to the settlement plan, as did the so-called Frente POLISARIO. The plan provided for Algeria and the Frente POLISARIO, among others, to participate as observers in the work of the Identification Commission, it being understood that the Commission and the tribal chiefs would carry out the tasks of identification per se. In addition, in the most recent letter which it had addressed to the Security Council during the consideration of the resolution on Western Sahara, Algeria had declared that it was interested in MINURSO "at the highest level". To describe Algeria as a party was not an insult and should not give rise to a right of reply. His delegation had taken note of Algeria's concern, as a neighbouring country, with expediting a settlement of the question.

76. His delegation had never sought to politicize the issue and had confined itself to the technical aspects - budget items and funds. Moreover, it was

(Mr. Zahid, Morocco)

specifically to ensure full respect for the respective roles of the various competent bodies that Morocco had raised the question of the status of the Special Representative and his assistant. In the case under consideration, the Advisory Committee should have submitted its recommendations to the General Assembly, not to the Secretary-General.

77. His delegation had been accused of using arguments likely to cause confusion, whereas, on the contrary, it had always been in favour of clarity. It would be easy for him to show who, in the current instance, was attempting to sow confusion. His delegation would simply recall that it was because of the Algerian delegation's objection that it had not been possible to include the reference to the forty-eighth session in paragraph 15 of the draft resolution.

78. The CHAIRMAN drew attention once again to the rules governing rights of reply.

79. Mr. KHENE (Algeria), speaking in exercise of the right of reply, reaffirmed that his statement had been an explanation of position, and noted that his remarks had been confirmed by the representative of Morocco. He wished to stipulate that when the Moroccan delegation had referred to the newspaper Al-Watan, it had been seeking to give the impression that the said newspaper was a mouthpiece for the Algerian Government. Moreover, he failed to understand to which article Morocco could have been referring; he stressed that Algeria no longer had a representative on the Advisory Committee.

80. As to the designation of Algeria as "the other party", that was an extremely grave act which called for clarification at an official meeting. The choice of terms excluded the possibility that there could be more than two parties. However, the conflict was between Morocco and the Frente POLISARIO, not between Algeria and Morocco. His delegation stressed that it had acted as it always did during discussion of peace-keeping operations, and that it attached at least as much importance as other delegations to the success of the peace process and the role of MINURSO.

81. Mr. ZAHID (Morocco), speaking in exercise of the right of reply, said that Algeria had had a representative on the Advisory Committee at the time when the daily Al-Watan had published the article in question. As to the wish to sow confusion, which his delegation had been accused of harbouring, it was regrettable that a reference to official documents, such as the settlement plan, Security Council resolutions, or letters exchanged between the Advisory Committee and the Secretary-General, could have sown confusion in the minds of the Algerian delegation.

82. Contrary to the provocative remarks of the Algerian representative, he had never challenged Algeria, merely some views expressed by the Algerian delegation. He thanked the Algerian delegation for having allowed him to speak a second time, while regretting that he had been compelled to speak in exercise of the right of reply on two occasions.

83. Mr. KHENE (Algeria) said that he failed to understand why the representative of Morocco would thank him for having given him the floor, since he was not the Chairman of the Committee. That most definitely was a source of confusion.

The meeting rose at 10.10 p.m.

UNITED NATIONS

General Assembly

FORTY-EIGHTH SESSION

Official Records

FIFTH COMMITTEE
62nd meeting
held on
Monday, 25 April 1994
at 10 a.m.
New York

SUMMARY RECORD OF THE 62nd MEETING

Chairman: Mrs. EMERSON (Portugal)
(Vice-Chairman)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

CONTENTS

AGENDA ITEM 135: FINANCING OF THE UNITED NATIONS TRANSITIONAL AUTHORITY IN CAMBODIA

AGENDA ITEM 174: FINANCING OF THE UNITED NATIONS MILITARY LIAISON TEAM IN CAMBODIA

AGENDA ITEM 123: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995 (continued)

Conditions of service for members of the International Court of Justice

AGENDA ITEM 121: REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS (continued)

ORGANIZATION OF WORK

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.5/48/SR.62
5 May 1994

ORIGINAL: ENGLISH

94-80739 (E)

In the absence of Mr. Hadid (Algeria), Mrs. Emerson (Portugal), Vice-Chairman, took the Chair

The meeting was called to order at 10.40 a.m.

AGENDA ITEM 135: FINANCING OF THE UNITED NATIONS TRANSITIONAL AUTHORITY IN CAMBODIA (A/48/701 and Corr.1 and 2 and Add.1, A/48/917)

AGENDA ITEM 174: FINANCING OF THE UNITED NATIONS MILITARY LIAISON TEAM IN CAMBODIA (A/48/800 and Corr.1, A/48/919)

1. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that, in his report on the financing of the United Nations Transitional Authority in Cambodia (UNTAC) (A/48/701 and Corr.1 and 2 and Add.1), the Secretary-General had requested an additional appropriation of some $34 million for UNTAC. The Advisory Committee had reviewed that request and had submitted its observations and recommendations in document A/48/917. Unliquidated obligations amounted to $390,707,301 for the period up to the end of the Transitional Authority's completion phase. A breakdown of most of those amounts was contained in paragraph 19 of the Advisory Committee's report. Bearing in mind the unliquidated obligations and also the information that the Advisory Committee had received with respect to miscellaneous income, which amounted to $19,935,871, the Committee had concluded that, at the current stage, a case had not been made for additional appropriations. The Advisory Committee had calculated that the real additional appropriation that might be requested would be $12.6 million rather than $34 million. In paragraph 21 of its report, the Advisory Committee recommended that the General Assembly should appropriate the amount of $236 million gross authorized with the Advisory Committee's prior concurrence. Those amounts had been assessed on Member States. It would also be necessary to appropriate an amount of $100 million gross previously authorized and assessed in accordance with General Assembly decision 48/469.

2. With respect to the Secretary-General's report on the financing of the United Nations Military Liaison Team in Cambodia (A/48/800 and Corr.1), the Advisory Committee's report was contained in document A/48/919. The Advisory Committee concurred with the Secretary-General's request that the General Assembly should appropriate an amount of $910,400 gross ($872,100 net) to cover the period up to 15 May 1994. The Controller should indicate what arrangements might need to be made in the event that the mandate did not expire on 15 May 1994.

3. Mr. TAKASU (Controller) said that, according to the new paragraph 97 of the Secretary-General's report on the financing of UNTAC (A/48/701/Corr.1), the General Assembly at its forty-eighth session would have to appropriate the amount of $236 million gross for the continued operation of UNTAC for the period from 1 May to 31 July 1993; appropriate the amount of $65,660,300 gross to meet the additional requirements of UNTAC for the period from 1 August to 30 September 1993; appropriate the amount of $9,170,600 gross to meet the costs associated with the final liquidation of UNTAC; and apportion an additional amount of $34,358,300 gross to meet the additional requirements of UNTAC,

(Mr. Takasu)

including liquidation costs, taking into consideration the amount of $100 million in gross and net already apportioned in accordance with General Assembly decision 48/469.

4. Out of the $34,358,300, it was necessary to apportion the interest and miscellaneous income amounting to some $20 million. According to paragraph 19 of the Advisory Committee's report (A/48/917), the unliquidated obligations consisted of several elements, such as reimbursement to troop-contributing Governments, contingent-owned equipment, and death and disability payments. It was his understanding that the Advisory Committee considered that some of those obligations would be cancelled. There was therefore no need for an apportionment.

5. In connection with the financing of the United Nations Military Liaison Team in Cambodia, according to the new paragraph 20 of the Secretary-General's report (A/48/800/Corr.1), the General Assembly would have to appropriate the amount of $910,400 gross to meet the cost of the operation for the six-month period from 15 November 1993 to 15 May 1994, inclusive of the amount of $756,500 gross that the Assembly had authorized in its decision 48/480, and to apportion an additional amount of $153,900 gross for the operation of the Military Liaison Team for the period from 15 November 1993 to 15 May 1994.

6. With regard to the possibility of an extension of the Military Liaison Team's mandate, it would be up to the Security Council to take a decision. Since no decision had yet been taken, the Secretary-General had no reason to change the cost estimates contained in his report (A/48/800 and Corr.1).

7. Mr. GOKHALE (India) said that his delegation was seriously concerned about the continuing delays in reimbursements to countries that had contributed troops to UNTAC. Although the operation had wound down and its assets had been transferred to other operations, troop-contributing countries had received payments only up to March 1993. In paragraph 8 of its report (A/48/917), the Advisory Committee noted that the delay in payment to troop-contributing countries represented "the longest delay as compared with other peace-keeping operations". The Fifth Committee must address that critical issue with a view to arriving at an acceptable solution. Continued delays in the reimbursement of troop-contributing countries could have an adverse effect on future peace-keeping operations. The Secretariat should indicate whether it had any specific time-frame in which it intended to make those payments.

8. His delegation was aware that there were large outstanding amounts that had not yet been paid to the UNTAC operation because some Member States had not yet paid their assessed contributions. Those States should pay up at the earliest opportunity in order to facilitate reimbursements to troop-contributors and others. According to paragraph 9 of the Advisory Committee's report, the total outstanding contributions - presumably as at 30 March 1994 - amounted to $273 million. In that connection, the Secretariat should indicate whether any of those outstanding assessed contributions had been paid since that time and, if so, specify the amount. The Secretariat should inform the Committee whether it would be in a position to assure Member States that any payment of assessed

(Mr. Gokhale, India)

contributions that were made after 30 March 1994 would first be used to reimburse troop-contributing countries, and only thereafter used for other purposes.

9. In paragraph 19 of its report (A/48/917), the Advisory Committee made no mention of outstanding payments to vendors and contractors that had supplied services and materials for UNTAC. His delegation was concerned about the possibility that the Secretariat gave greater priority to paying vendors and suppliers than to paying troop-contributing countries. The Secretariat should indicate whether it did so.

10. His delegation had accepted the Advisory Committee's recommendation that the assets of one operation should, after that operation had been completed, be transferred to another operation in order to keep down peace-keeping costs. His delegation had also agreed to the adoption of the practice set out in General Assembly resolution 47/209 B, which dealt with the financing of UNTAC. However, at the time, his delegation had not anticipated the problems that would be faced by troop-contributing countries. Had the amount that had originally been budgeted to the operation been credited to UNTAC, it would have covered a very substantial amount of the payments owed to troop-contributing countries.

11. With regard to paragraphs 11 and 12 of the Advisory Committee's report (A/48/917), his delegation could not accept the proposal made by the Department of Peace-keeping Operations with regard to the death and disability benefits. It was difficult to accept any proposal to pay different amounts of compensation for soldiers who had served side by side in an international peace-keeping operation under United Nations auspices and who were killed or disabled while discharging their duties.

12. Mr. OBLIN (France) said that his delegation associated itself with the statement made by the representative of India. In spite of the serious delays in payments to troop-contributing countries, major financial transfers had been made from UNTAC to other forces. Those transfers, which amounted to $90 million, had been better accounted for in the forces to which they had been transferred than in UNTAC. It was important that such transfers should be accounted for properly at both ends. The first priority was to reimburse troop-contributing countries. The UNTAC operation, which had been exemplary in so many respects, should also be exemplary in its financial aspect.

13. Mr. TAKASU (Controller) said that the significant level of unliquidated obligations under UNTAC, particularly towards Member States, was a matter of grave concern. The balance in the UNTAC Special Account was currently $16 million in cash, but that included resources borrowed from the Peace-keeping Reserve Fund and the special account of the United Nations Transition Assistance Group (UNTAG). The UNTAC account was showing a $47 million deficit, primarily representing outstanding contributions from Member States. Updating the figure quoted by the Indian representative, he said that the balance in the account as at 22 April was $254.2 million.

(Mr. Takasu)

14. The Secretariat was keenly aware of the difficulties of Member States which, on the one hand, were awaiting reimbursement and, on the other hand, were being requested to provide troops for other peace-keeping missions. The Secretariat, and he personally, attached great importance to expediting reimbursement but, unfortunately, UNTAC had a record level of outstanding contributions. Perhaps certain Member States, in the belief that the mission was over, were directing their contributions elsewhere. The financial obligations associated with UNTAC, however, were far from being discharged, and the situation was affecting Member States' willingness to provide fresh troops for other peace-keeping operations.

15. A slight improvement in the level of contributions between the end of March and mid-April had enabled the United Nations to reimburse, for the first time in many months, certain expenses incurred during March 1993. The Organization currently owed $97 million to Member States, and he hoped that those Member States bearing the heaviest burden would understand its position. He echoed the appeal made by the Indian representative to those Member States which had not yet paid their contributions.

16. On the question of priority of payments, he said that "essential payments" included salaries, travel expenses, mission subsistence allowance, and essential services without which UNTAC could not have continued. Anxious as the Secretariat was to reimburse troop-contributing States, those essential payments had had to take precedence.

17. Ms. SAEKI (Japan) said that her delegation, too, was concerned about the reimbursement of troop-contributing Governments. While the largest amount was owed by UNTAC, it was not the only peace-keeping operation with unliquidated obligations. She wondered if, by the time the informal meeting was held the following day, the Secretariat could provide up-to-date information on amounts the United Nations owed to troop-contributing States in respect of all peace-keeping operations.

18. Mr. MERIFIELD (Canada) said that an estimate of outstanding commercial claims would be equally important. Payment of many of those claims had been delayed by internal procedures or was still under discussion. It would be important to make budgetary provisions for the satisfaction of those claims.

AGENDA ITEM 123: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995 (continued)

Conditions of service for members of the International Court of Justice (A/C.5/48/66 and A/48/7/Add.6)

19. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) introduced the report of the Advisory Committee on conditions of service for members of the International Court of Justice (A/48/7/Add.6). The Advisory Committee had reviewed the related report of the Secretary-General (A/C.5/48/66) and had noted that it contained additional information, in accordance with the request the Advisory Committee had made

(Mr. Mselle)

after reviewing previous reports of the Secretary-General on that question. That additional information had been taken into account.

20. The Secretary-General, for the reasons indicated in his report and commented on by the Advisory Committee, was recommending that the emoluments of the members of the Court should be increased by 6.5 per cent, or from $145,000 to $154,425. The Advisory Committee had considered the request at length and had found that careful analysis of the factors described in the report of the Secretary-General and of the additional information provided to the Committee indicated that the strengthening of the United States dollar against the guilder should more than offset the increase in the local cost of living during the period covered by the review. Accordingly, the Advisory Committee had concluded that, at the current stage, there was no need to concur with the Secretary-General's proposal to raise emoluments, and that the current level of $145,000 should be maintained. In that connection, the Advisory Committee recommended that the next review of emoluments should take place in two years; that, in future, emoluments should be reviewed on a biennial basis; and that the current arrangement for protection against currency fluctuations for the emoluments of members of the Court should be maintained (A/48/7/Add.6, para. 5). In view of its position with respect to the emoluments of members of the Court, the Advisory Committee was not proposing any change in the special allowances of the President and Vice-President of the Court or in their pension entitlements (A/48/7/Add.6, paras. 6 and 9).

21. The Advisory Committee recommended acceptance of the Secretary-General's proposal with respect to the education grant. However, it also recommended that the review of the education grant should be conducted within the framework of the next review of the conditions of service of judges, in other words, in two years. In paragraph 10 of its report, the Advisory Committee concurred with the Secretary-General's recommendation concerning additional requirements of $30,000 for the biennium 1994-1995. It also agreed that those additional requirements related to inflation and should not be covered by the resolution on the use and operation of the contingency fund.

AGENDA ITEM 121: REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS (continued)

22. The CHAIRMAN drew attention to General Assembly resolution 48/218, section II, paragraph 9, concerning the establishment of an independent entity to enhance oversight functions, in particular with regard to evaluation, audit, investigation and compliance. She believed that the Committee was in a position to take up the issue with a view to reaching an agreement on it.

23. Mrs. GRAHAM (United States of America) said that her delegation was pleased that consideration of the agenda item had been resumed. It would work closely with other Fifth Committee members in order to realize the extremely vital goal of ensuring an independent oversight mechanism.

ORGANIZATION OF WORK

24. Mr. STITT (United Kingdom) expressed concern that the proposed programme of work (A/C.5/48/L.37/Rev.3) did not include an item on the possible apportionment of additional funds to the United Nations Protection Force.

25. Ms. ROTHEISER (Austria) said she shared that concern, and asked if the one-week gap in the June resumed session had anything to do with the availability of documents. Perhaps the Secretariat could prepare a report indicating the status of documentation. Referring to the footnote on the availability of conference-servicing facilities, she stressed that the Main Committees of the General Assembly should be given preference.

26. The CHAIRMAN confirmed that the gap indeed had to do with the availability of documents. She would request the Secretariat to issue a report on the status of documentation.

The meeting rose at 11.35 a.m.

UNITED NATIONS

General Assembly

FORTY-EIGHTH SESSION

Official Records

FIFTH COMMITTEE
63rd meeting
held on
Wednesday, 27 April 1994
at 10 a.m.
New York

SUMMARY RECORD OF THE 63rd MEETING

Chairman: Mrs. EMERSON (Portugal)
(Vice-Chairman)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

CONTENTS

TRIBUTE TO THE MEMORY OF SYLVANUS TIEWUL, FORMER SECRETARY OF THE FIFTH COMMITTEE

AGENDA ITEM 162: FINANCING OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA (continued)

AGENDA ITEM 136: FINANCING OF THE UNITED NATIONS PROTECTION FORCE (continued)

ORGANIZATION OF WORK

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.5/48/SR.63
12 May 1994

ORIGINAL: ENGLISH

94-80745 (E)

In the absence of the Chairman, Mrs. Emerson (Portugal), Vice-Chairman, took the Chair

The meeting was called to order at 10.45 a.m.

TRIBUTE TO THE MEMORY OF SYLVANUS TIEWUL, FORMER SECRETARY OF THE FIFTH COMMITTEE

1. The CHAIRMAN paid tribute to the memory of Sylvanus Tiewul.

2. At the invitation of the Chairman, the members of the Committee observed a minute of silence.

3. Mr. SPAANS (Netherlands) said that Sylvanus Tiewul had been a great asset to the Secretariat and to delegations. He therefore requested the Chairman to convey the Committee's sincere condolences to the family of the former Secretary of the Committee.

AGENDA ITEM 162: FINANCING OF THE UNITED NATIONS OBSERVER MISSION IN GEORGIA (continued)

Draft resolution A/C.5/48/L.63

4. The CHAIRMAN said that she had submitted draft resolution A/C.5/48/L.63 on behalf of the Chairman following informal consultations. The text was fairly standard and reflected some of the concerns delegations had expressed about the non-payment of contributions on time and in full. She noted that paragraphs 11 and 12 of the original draft resolution considered during the informal consultations were switched around in the final text. In the second line of the new paragraph 11, the amount had been changed to $1,251,800 gross. She drew special attention to the final preambular paragraph, paragraphs 8 to 13, and paragraph 15.

5. Mr. SPAANS (Netherlands) said that, since the draft resolution dealt with the apportionment of amounts and the assessment of Member States, his delegation wished to be absolutely certain that it reflected accurately what had been agreed on in the informal consultations the day before. Perhaps the changes to the original version could be provided in writing.

6. Mr. LIM (Peace-keeping Financing Division) explained that paragraph 11 of the original draft resolution was identical to paragraph 12 of the final version. Paragraph 12 of the original version had begun: "Decides, as an ad hoc arrangement, to apportion an additional amount of $994,400 gross ($979,200 net) for the period from 1 February to 31 March 1994 ...". The remainder of the paragraph had been identical to paragraph 11 of the final version. Member States were still being assessed $994,400 gross ($979,200 net); however, for accounting purposes, the amount was presented in the resolution as an apportionment of the total appropriation of $1,251,800 (para. 9), offset by the unencumbered balance of $257,400 (para. 12).

7. Ms. CAIRNS (United Kingdom) said that she would appreciate clarification of the effect of the changes to the original version. In particular, she wished to know the gross and net amounts which Member States would be assessed under the resolution.

8. Mr. KELLY (Ireland) noted that paragraph 14 of the original version had provided for setting off $80,400 deriving from staff assessments against the assessment of Member States. Paragraph 14 in the final version referred to the amounts of $31,700 and $63,600, but made no mention of the amount of $80,400 to be set off from 7 August 1993 to 31 January 1994.

9. Mr. LIM (Peace-keeping Financing Division), replying to the representative of the United Kingdom, said that the amount assessed after all adjustments were made would be $2 million gross ($1,918,200 net). Replying to the representative of Ireland, he said that the amount of $80,400 had not been included because that amount had already been apportioned among Member States for the period ending 31 January 1994. In that connection, he drew attention to paragraph 8 of the draft resolution concerning apportionment in accordance with General Assembly decision 48/475 A.

10. Mr. SPAANS (Netherlands) said that he shared the concerns of the Irish representative. Two paragraphs of the original text had now been merged into paragraph 14 of the final version. The original draft resolution had also contained a reference to the Tax Equalization Fund and specified an amount in the order of $80,000. He wondered why that reference had been deleted.

11. Mr. LIM (Peace-keeping Financing Division) said that it had seemed unnecessary to mention the amount of $80,400. The Contributions Section had confirmed that it was not necessary to include that amount in paragraph 14 since the Member States concerned had already been credited for the amount apportioned for the period ending 31 January 1994. Under General Assembly decision 48/475 A, the Assembly had authorized the Secretary-General to apportion $2,536,200 gross ($2,439,300 net). The difference of $96,900 represented income from staff assessments. Of that amount, $66,116 had been credited to Member States and the balance had been reserved for credit to the United States of America.

12. Draft resolution A/C.5/48/L.63 was adopted without a vote.

AGENDA ITEM 136: FINANCING OF THE UNITED NATIONS PROTECTION FORCE (continued)

13. The CHAIRMAN said that the Committee was resuming its consideration of the item at the request of certain delegations which had expressed concern over urgent pending matters.

14. Mr. STITT (United Kingdom) referred to the decision taken by the Committee two meetings earlier in respect of the commitment authority for the proposed enlargement of UNPROFOR in Bosnia and Herzegovina. At that time, the Chairman had indicated that the question of the assessment corresponding to the commitment authority would be considered during a resumed session. Seeing that the proposed programme of work did not include agenda item 136, his delegation

(Mr. Stitt, United Kingdom)

had requested an opportunity to be brought up to date on the question. It was his delegation's understanding that the Security Council was still discussing other aspects of the enlargement of UNPROFOR, that it was likely to take a decision in the near future and that that decision would be consistent with the report of the Secretary-General. He wondered when the Committee would be in a position to resume consideration of the financing of either the partial or the full expansion of UNPROFOR. Perhaps the Controller could address the question and the Chairman of the Advisory Committee could inform the Committee whether the Advisory Committee would have to review what it had done before Easter and perhaps begin all over again.

15. Mr. TAKASU (Controller) said that he wished to explain the slightly broader financial situation of the UNPROFOR Special Account. The current level of commitment authority granted under the General Assembly decision of 8 April was up to $111.3 million per month. That included a provision for the increase in the strength of the Force by 3,660, which the Security Council had approved on 31 March and for which the General Assembly had granted a commitment authority of $15.9 million per month or $63.6 million for the four-month period from 1 April to 31 July. At the end of March, the General Assembly had decided that the commitment authority for UNPROFOR would be $383.4 million covering the period from 1 April to 31 July, which on a monthly basis, worked out to $95.4 million. The incorporation of the additional personnel pushed the figure up to $111.3 million.

16. At the end of March, the General Assembly had decided that the assessment would be about $272 million under the formula "four months' commitment authority/three months' assessment". The assessment for the month of July had not yet been approved, and the total difference between commitment authority and assessments for the period 1 April to 31 July was $95.4 million. Since the General Assembly had not yet approved any assessment for the strengthening of the Force, however, the total amount to be assessed was $95.4 million plus $63.6 million, or over $150 million.

17. In order to maintain the operation, $30 million per month in cash had been needed for reimbursements before the approval of the enlargement. The enlargement would probably bring the monthly cost to $32 million. The cost of operations would be $75 million per month, meaning that $100 million in cash was needed every month to maintain UNPROFOR. As at 27 April 1994, the cash balance in the Special Account was only $56 million. It was therefore extremely important for Member States to make their payments. The level of outstanding payments as at 31 March had been $454 million. Since the time of the decision to increase the UNPROFOR assessment by $272 million, $90 million had been received (as at 27 April). Currently, outstanding contributions amounted to slightly less than $700 million.

18. The Secretariat was fully aware of the consultations taking place in the Security Council concerning further increases in UNPROFOR strength. The Secretary-General had originally proposed that up to 8,675 persons should be added to the Force, at a cost of $151 million covering a four-month period, or approximately $37.5 million per month. In the event of an increase of 8,675,

(Mr. Takasu)

there would be a substantial difference - perhaps on the order of $20 million - in the level of commitment authority required, and the Security Council would have to submit a request to the Advisory Committee or the General Assembly. The issue was one of timing, and that depended largely on the Security Council. The Secretariat could not predict what would happen, but it would do its utmost to prepare a number of additional cost estimates corresponding to all possibilities. It was hoped that the question would be taken up as soon as possible by the Advisory Committee.

19. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee, which would start meeting from 3 May 1994, was ready to consider any other additional requests that the Secretary-General might submit to the General Assembly through the Advisory Committee following the consultations in the Security Council. The latest report of the Advisory Committee on UNPROFOR was contained in document A/48/878/Add.1, which outlined the Advisory Committee's recommendations on the Secretary-General's request for the additional expansion of UNPROFOR as modified by the Security Council. Rather than agreeing to an additional deployment of 8,250, the Security Council had authorized in resolution 908 (1994) an expansion of 3,500. Even though the Advisory Committee had recommended that there should be an additional assessment of $20.7 million, he had indicated to the Committee that it could wait until it received the results of the Security Council's consultations, which might lead to additional troops over and above what had been authorized by Security Council resolution 908 (1994). At that stage, the Committee would then have to make another recommendation for commitment and assessment.

20. Mr. SPAANS (Netherlands) expressed appreciation for the speed with which the Secretariat reacted to decision-making in the Security Council, and encouraged it to continue to make efforts to reduce the time needed for the submission of proposals to the Committee, since a combination of commendable speed and a thorough review by the General Assembly inevitably led to decisions of high quality. If he had understood the Controller correctly, the current difference between commitment authority and assessed amounts was $156 million. He wondered whether it would be possible to have the documents on the status of contributions to various peace-keeping operations published much earlier than they were currently published. It would also be appreciated if in future the documents could contain the list that was infrequently distributed by the Secretariat on the total contributions assessed and owed per Member State both for the regular budget and for peace-keeping operations. That would spare delegations the trouble of having to add up the figures in 18 different status reports.

21. Mr. TAKASU (Controller) assured the Netherlands representative and the Committee as a whole that the Secretariat would continue to make efforts to reduce the time needed to prepare the budget for peace-keeping operations. Concerning the current difference between commitment authority and assessed amounts, he said that the figure was actually $159 million. The document on the status of contributions by Member States was an increasingly useful and important document for decision-making, particularly in the Fifth Committee.

(Mr. Takasu)

Delays were probably mainly caused by translation and other related issues. While the status of contributions was usually compiled at the end of the month, distribution of the document had to wait until everything was available in the six official languages. The Secretariat was prepared to provide advance copies on an informal basis, on the understanding that they would not be considered official documents. A table showing the total outstanding contributions was prepared regularly. Concerning the exact format of the documentation, he could consult with the staff concerned in order to explore ways of coming up with the best formula to provide the information on a regular basis.

22. Mr. STITT (United Kingdom) said that if his country's authorities could be given some indication of the period in which they would be expected to find their portion of what could be an assessment of the order of $250 million, they would then do their best to respond within 30 days of the issuance of the letter of assessment. On the assumption that the Security Council would soon authorize the expansion of UNPROFOR on the level originally proposed by the Secretary-General, he wondered whether the Advisory Committee would be in a position to report to the Fifth Committee during the coming week or early in the week thereafter.

23. Mr. TAKASU (Controller) said that the Secretariat had prepared a report on the assumption that the additional deployment would be approved; obviously, that document would have to be reviewed in the light of developments which had occurred since its preparation on 28 March 1994. As soon as the Security Council took its decision, the Secretary-General would submit revised estimates through the Advisory Committee to the Fifth Committee. In view of the very keen interest in the issue, he hoped that as soon as the ACABQ report was ready, the Fifth Committee would be invited to take it up.

24. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had already taken the decision to concur in the original submission by the Secretary-General of $151 million for the four months and an assessment of $48 million. However, that decision had not been submitted to the Fifth Committee because the Advisory Committee had entrusted him with the responsibility of amending that decision depending on the revised expansion approved by the Security Council. If the Secretary-General approached the Advisory Committee after the decision of the Security Council, ACABQ would submit its recommendation as speedily as possible. He assumed that the original commitment of $151 million would have to be revised in view of the fact that the contingent personnel would not be available as from 1 April 1994, but would be available as from the date the Security Council approved the expansion and also in the number approved by the Council.

ORGANIZATION OF WORK

25. Mr. SPAANS (Netherlands), drawing attention to the programme of work for the end of May and early June, said that the two separate resumed sessions scheduled for that period would be inconvenient to both the Secretariat and Member States. He wondered whether the Bureau had reviewed the matter and whether the Chairman could shed more light on it.

26. Mr. STITT (United Kingdom) asked what conference services would be available to the Committee in the coming week, when the Committee was going to receive a statement on the status of documentation for the rest of its agenda, and when the Committee was going to have a serious discussion of how it would dispose of the balance of its work programme. It would be useful if, together with the status of documentation, the Secretariat could give members a definitive statement on the items on which, for administrative or budgetary reasons, it was essential that the Fifth Committee should take a decision during the current session. The session had gone on for far too long, and it was time for the Committee to take a decision to close all outstanding agenda items and transfer them to the next session.

27. Mr. GOUMENNY (Ukraine) said that while his delegation was grateful to the Bureau for making it possible to hold a meeting of the Working Group on the apportionment of peace-keeping expenses, it would like to know how the Bureau was planning to organize the work of that Working Group and when that Group's work would be resumed. While his delegation would like the Working Group to start at the beginning of May, it felt that its meetings should not coincide with those of the Fifth Committee.

28. Mr. DAMICO (Brazil) said he fully agreed that the Committee had reached a stage where it should take some decisions regarding its programme of work. As such decisions should be taken on an informed basis, the Committee should have information relating to the status of documentation and reports due from both the Secretariat and ACABQ, so that it could plan its programme of work properly.

29. Mr. YEGOROV (Belarus) said that his delegation agreed with the views expressed by the representative of Ukraine and would be interested in hearing an answer to his question.

30. The CHAIRMAN said that two separate weeks of meetings had been programmed because she had been informed that no conference services would be available for the period 31 May to 10 June 1994. The issue was still being discussed with the Office of Conference Services to see whether the Committee could revert to its original programme of work.

31. An updated document on the status of documentation was available in the conference room. While the Bureau would be happy to receive comments from delegations about the items that they considered important, account should be taken of the fact that consultations would have to be held with the Secretariat and ACABQ as to when the reports which were due would be made available to the Committee. Until that was done, the Committee's programme could not be finalized. Concerning the points raised by the representatives of Ukraine and Belarus, she said that the question of the Working Group would be discussed during the informal consultations scheduled for the afternoon of Thursday, 28 April.

32. Mr. SHARP (Australia) expressed surprise that conference services would not be available to the Fifth Committee from the end of May to 10 June. He was also concerned at the impact which the late start of its meetings was having on the Committee's ability to complete its programme of work.

33. Mr. STITT (United Kingdom) said that he regretted the failure of the Secretariat, the Committee and the Bureau to consult with one another on the timing of the resumption of the Committee's session. The Committee urgently needed to consider how it could best dispose of the remaining items on its agenda. Because of the uncertainty surrounding peace-keeping operations, however, it might be necessary for the Committee to consider requests for their funding during the summer.

34. Ms. ROTHEISER (Austria) said that, like the representative of Australia, she was surprised that priority would not be given to the Fifth Committee in the allocation of conference services. She also wished to know when the information on the status of documentation would be made available to the Committee.

35. Mr. GOUMENNY (Ukraine) said that he doubted whether it would be possible for the Committee to consider at a single meeting the apportionment of peace-keeping expenses, the United Nations Disengagement Observer Force (UNDOF) and the United Nations Interim Force in Lebanon (UNIFIL). He would welcome information on how the Bureau proposed to organize the Committee's work in the weeks ahead.

36. The CHAIRMAN said that information on the status of documentation would be made available later in the day. The Bureau was in touch with the Secretariat on the question of conference services, and hoped to have a solution to the problem by 29 April. As for the concerns expressed by the delegation of Ukraine, it was possible for the Committee to conclude its consideration of the items concerning UNDOF and UNIFIL and thus be able to devote an entire meeting to the question of the apportionment of peace-keeping expenses. The Bureau would prepare a programme of work for the weeks ahead, taking into account the availability of documents. On the question of late starts to the Committee's meetings, as Chairman she fully intended to commence on time, even if only a few delegations were present.

The meeting rose at 12.15 p.m.

UNITED NATIONS

General Assembly

FORTY-EIGHTH SESSION

Official Records

FIFTH COMMITTEE
64th meeting
held on
Monday, 2 May 1994
at 3 p.m.
New York

SUMMARY RECORD OF THE 64th MEETING

Chairman: Mrs. EMERSON (Portugal)
(Vice-Chairman)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. MSELLE

CONTENTS

AGENDA ITEM 121: REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS (continued)

ORGANIZATION OF WORK

AGENDA ITEM 123: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995 (continued)

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.5/48/SR.64
11 May 1994

ORIGINAL: ENGLISH

94-80757 (E)

In the absence of the Chairman, Mrs. Emerson (Portugal), Vice-Chairman, took the Chair.

The meeting was called to order at 3.30 p.m.

AGENDA ITEM 121: REVIEW OF THE EFFICIENCY OF THE ADMINISTRATIVE AND FINANCIAL FUNCTIONING OF THE UNITED NATIONS (continued) (A/48/801 and General Assembly resolution 48/218)

1. Mr. MADDENS (Belgium), reporting on the results of the informal consultations, said that no consensus had been reached as yet on the item.

2. Mrs. GRAHAM (United States of America) suggested that the Committee should make time available for the consultations to continue during the current week.

3. Mrs. RODRÍGUEZ (Cuba) supported by Mr. GOKHALE (India) said that it would be better for the Committee to conclude its discussions of those topics it had already begun.

4. Mr. DAMICO (Brazil) suggested that the Committee could decide on the scheduling of the next informal consultations when it took up its consideration of the programme of work.

ORGANIZATION OF WORK

5. Mr. STITT (United Kingdom), noting that the financing of individual peace-keeping missions would have to be dealt with as the necessity emerged, said that the Committee should carry out a prioritization exercise. The issues to which his delegation attached the highest urgency included the United Nations telecommunications system (A/C.5/48/11 and Add.1) and the integrated management information system project (IMIS) (A/C.5/48/12), under agenda item 123; and the report of the Secretary-General on criteria to ensure transparency in the use of the support account and the regular budget for the backstopping of peace-keeping operations (resolution 48/226 B of 5 April 1994) and the document on effective planning, presentation and administration of peace-keeping operations, under agenda item 138.

6. Mr. STÖCKL (Germany) agreed that the Committee should try to establish an order of priorities and that the issue of the support account was one item that needed to be taken up as a matter of urgency. He was surprised to see that the Secretariat had failed, once again, to prepare the list of staff of the United Nations Secretariat. It should be informed that the Committee would not discuss anything related to personnel questions until that list was produced.

7. Mr. BOIN (France) endorsed the statements made by the representatives of the United Kingdom and Germany, particularly the latter's final comment. Regarding agenda item 124, he wondered whether the Chairman of the Advisory Committee could explain why that Committee's reports were not available.

(Mr. Boin, France)

8. His delegation attached high priority to item 138, and he wished to know why the report regarding transparency in the use of the support account and the document on effective planning of peace-keeping operations had still not been issued.

9. The report of the Secretary-General on the issue of workload justification in the Centre for Human Rights (resolution 48/228, para. 59) and workload standards for conference-servicing staff (A/C.5/47/67) should be added to the list of priorities under agenda item 123. His delegation was not satisfied with the conference services situation and would appreciate some clarification from the secretariat as to why other conferences were apparently given priority over the Fifth Committee.

10. Mr. MERIFIELD (Canada) wondered when the first of the quarterly reports for 1994 provided for under paragraph 10 of resolution 48/228 would be ready, adding that his delegation would appreciate a report on the status of the integration of OPS/UNDP in the Department for Development, Support and Management Services. Under agenda item 123, the documents relating to personnel - Department of Administration and Management senior structure, proposals of the Secretary-General on distribution of responsibilities and resources regarding energy and natural resources and the report of the Secretary-General on justification of reclassification of posts in the Professional categories and above - involved questions of principle and he would appreciate information on their status. The proposals of the Secretary-General on the provisions of and related arrangements for travel services and allowances (resolution 48/228, para. 27), should be taken up early, as should, under agenda item 120, the implementation of recommendations of the Board of Auditors (A/48/516 and Add.1). He agreed with other speakers about the importance of dealing with some of the peace-keeping items.

11. Mr. SHARP (Australia) said that his delegation agreed that telecommunications and IMIS should be among the priorities, along with peace-keeping operations and human rights. It would also be important to consider the adequacy of conference servicing. He agreed with the representative of Canada on the need for the financial report for the first quarter of 1994. Another item not to be postponed was the report entitled "Recovery of misappropriated funds" (A/48/572).

12. Mr. GOUDYMA (Ukraine) said that his delegation attached very high priority under item 138, to the review of the rates of reimbursement to the Governments of troop-contributing States (A/48/912) and the report of the open-ended working group to examine the placement of Member States in the groups for the apportionment of peace-keeping expenses.

13. Mr. JU Kuilin (China), referring to item 123, said that the integration of OPS/UNDP into the Department for Development Support and Management Services should receive priority consideration, as should the report of the Secretary-General on the creation of a new budget section relating to the New Agenda for Development in Africa (resolution 48/228, para. 27). Peace-keeping operations should, of course, continue to receive priority.

14. Ms. ERIKSSON-FOGH (Sweden), recalling that a decision had been taken to hold a substantive discussion on agenda item 124, inquired about the rationale behind the proposal to defer it.

15. Mr. ELZIMAITY (Egypt) said that his delegation would prefer to give priority to the consideration of agenda item 124.

16. Mr. GOKHALE (India), supported by Ms. PEÑA (Mexico) agreed that agenda item 124 was very important, but that it should be discussed only when the relevant Advisory Committee reports were available. He inquired whether they would be ready for the resumed session in June.

17. Mr. MSELLE (Chairman, Advisory Committee on Administrative and Budgetary Questions), replying to the representative of France, recalled that, in 1993, the Advisory Committee had decided not to issue reports on all the topics under agenda item 124. However, if the Committee were to decide to take up that item in June, the Advisory Committee should be able to indicate whether the reports would be issued.

18. He agreed with the representative of the United Kingdom that consideration of telecommunications, IMIS and the support account could not be postponed. The support account was of particular importance because the Secretary-General had resources available only through 30 June.

19. He pointed out that the June session would not be long enough to deal even with the priority items and several peace-keeping operations would have to be considered during July. The Fifth Committee must decide as soon as possible, which items should be postponed to the forty-ninth session, and make its recommendation to the General Assembly accordingly. If the Committee was unable to make a decision until June, the Advisory Committee would prepare only those reports concerning items that could not be postponed, such as telecommunications, IMIS, and support costs.

20. Mr. TAKASU (Controller) said that arrangements regarding the integration of OPS/UNDP into the Department for Development Support and Management Services were in the process of being defined and would be submitted to the forthcoming meeting of the UNDP Executive Board. Regarding the telecommunications system, the Secretariat was providing additional information to the Advisory Committee. Approval of the plan would result in significant economies in peace-keeping operations and the regular budget.

21. A number of matters pertaining to restructuring of the Secretariat, including the senior structure of the Department of Administration and Management and decentralization of responsibilities and resources regarding energy and natural resources remained outstanding. No action could be taken on the reclassification of posts in the Professional categories and above without General Assembly approval. Finally, in response to the question from the representative of Canada, he said that since figures from overseas had not yet been received, the Secretariat was not yet in a position to provide the quarterly report.

(Mr. Takasu)

22. Turning to agenda item 138, he explained that the delay in presenting the Secretary-General's report on criteria to ensure transparency in the use of the support account was due to the scope and complexity of the work involved. However, everything possible was being done to complete the report as soon as possible.

23. Responding to the question put by the German delegation concerning the list of staff, he said that the Secretariat would prepare a list in the format that was most feasible in the current circumstances. It would be comprehensive and would provide a good basis for discussions.

24. Mr. MSELLE (Chairman, Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee proposed to report to the UNDP Executive Board meeting to be held on 10 May 1994. If completed, the report would be made available to the meeting of the Executive Board to be held in Geneva in June.

25. Mrs. RODRÍGUEZ (Cuba) said that her Government attached great importance to agenda item 121 and would prefer its consideration to be deferred to a later date.

26. The CHAIRMAN said that that request would be taken into account when preparing the Committee's programme of work.

The meeting was suspended at 5 p.m. and resumed at 5.15 p.m.

AGENDA ITEM 123: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995 (continued)

Draft resolution A/C.5/48/L.64

27. The CHAIRMAN said that the Committee had failed to achieve consensus on part B of draft resolution A/C.5/48/L.64. It could not be introduced.

28. Mr. STITT (United Kingdom) expressed surprise since he believed that the text, although imperfect, had been agreed upon during informal discussions.

29. Mrs. GRAHAM (United States of America) reiterated her delegation's understanding that the compensation of the members of the International Court of Justice would remain at the level established in 1990.

30. Mr. MSELLE (Chairman, Advisory Committee on Administrative and Budgetary Questions) said that, as the International Court of Justice was one of the principal organs of the United Nations, it was not appropriate to keep postponing the item. Some elements of the draft resolution had already been agreed upon and discussions should continue on those elements on which agreement had not yet been reached.

31. Mr. STITT (United Kingdom) said that his delegation took it that the item remained open and that in the absence of consensus, any delegation might propose another text.

32. Ms. SHENWICK (United States of America) said that her Government's position on the matter was well known: it placed emphasis on channelling scarce resources into programmes for the economic and social development of Member States and into arrangements for the maintenance of international peace and security. It was her understanding that paragraph 3 of the draft resolution before the Committee had not been agreed upon in informal discussions and had, in fact, been inserted after the informal meetings.

33. The fact that her delegation did not agree to a change in the current pension plan should in no way be construed as disrespect for a principal organ of the Organization, for the judicial process or indeed for the legal profession. It simply meant that her delegation believed that the current compensation package was adequate and that the pension component was sufficient to ensure that retired judges enjoyed an appropriate lifestyle. She did not agree that the matter should be kept open.

34. The CHAIRMAN suggested that, since at least one delegation had expressed a wish to keep the item under consideration, more time should be given to delegations to try to reach a consensus.

35. It was so decided.

The meeting rose at 5.35 p.m.

UNITED NATIONS

General Assembly

FORTY-EIGHTH SESSION

Official Records

FIFTH COMMITTEE
65th meeting
held on
Monday, 9 May 1994
at 3 p.m.
New York

SUMMARY RECORD OF THE 65th MEETING

Chairman: Mrs. EMERSON (Portugal)
(Vice-Chairman)

Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

CONTENTS

AGENDA ITEM 135: FINANCING OF THE UNITED NATIONS TRANSITIONAL AUTHORITY IN CAMBODIA (continued)

AGENDA ITEM 174: FINANCING OF THE UNITED NATIONS MILITARY LIAISON TEAM IN CAMBODIA (continued)

AGENDA ITEM 123: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995 (continued)

AGENDA ITEM 130: FINANCING OF THE UNITED NATIONS PEACE-KEEPING FORCES IN THE MIDDLE EAST (continued)

(a) UNITED NATIONS DISENGAGEMENT OBSERVER FORCE (continued)

(b) UNITED NATIONS INTERIM FORCE IN LEBANON (continued)

ORGANIZATION OF WORK

This record is subject to correction. Corrections should be sent under the signature of a member of the delegation concerned *within one week of the date of the publication* to the Chief of the Official Records Editing Section, room DC2-794, 2 United Nations Plaza, and incorporated in a copy of the record.

Corrections will be issued after the end of the session, in a separate corrigendum for each Committee.

Distr. GENERAL
A/C.5/48/SR.65
16 May 1994

ORIGINAL: ENGLISH

94-80769 (E)

The meeting was called to order at 3.20 p.m.

AGENDA ITEM 135: FINANCING OF THE UNITED NATIONS TRANSITIONAL AUTHORITY IN CAMBODIA (continued) (A/C.5/48/L.67)

1. Ms. PEÑA (Mexico), introducing draft resolution A/C.5/48/L.67, drew attention to paragraph 1, in which the General Assembly would express its regret that, as of 29 April 1994, only 37 Member States had paid their assessed contributions to the Special Account for the United Nations Advance Mission in Cambodia and the United Nations Transitional Authority in Cambodia (UNTAC) in full, and would urge all other Member States to make every possible effort to ensure payment of their outstanding assessed contributions. Paragraph 2 expressed grave concern about the resulting financial situation of the Special Account for the Advance Mission and the Transitional Authority, owing to the continued non-payment by Member States of their assessments, which had led to an unprecedented delay in the reimbursement to troop-contributing countries. Paragraph 4 took note of the assurances given by the Secretariat that the matter of reimbursement of outstanding dues to the troop-contributing countries would be given priority when settling the unliquidated obligations of the Transitional Authority prior to its liquidation.

2. The General Assembly would decide in paragraph 8 to appropriate the amount of $236 million for the period from 1 May to 31 July 1993. In paragraph 9, it would appropriate the further amounts of $100 million gross for the Transitional Authority for the period from 1 September 1993 to 31 March 1994 and $32,562,900 gross to be covered by interest income and miscellaneous income in the Special Account for the Advance Mission and the Transitional Authority, in addition to the total amount of $1,482,191,600 gross already appropriated for the Advance Mission and the Transitional Authority.

3. The Secretary-General would be requested in paragraph 10 to submit to the General Assembly at its forty-ninth session a detailed financial performance report on the Special Account for the Advance Mission and the Transitional Authority for the period ending 30 June 1994. In paragraph 11 he would be requested further to provide to the General Assembly no later than 31 March 1995 a comprehensive evaluation of all aspects of the administration and management of the operation, with a view to utilizing that experience in other peace-keeping operations.

4. Lastly, in paragraph 16, the General Assembly would decide to include in the provisional agenda of its forty-ninth session an item entitled "Financing and liquidation of the United Nations Transitional Authority in Cambodia". She hoped that the Committee would be able to adopt the draft resolution without a vote.

5. Mr. GOKHALE (India) said his Government hoped that, following the adoption of the draft resolution, Member States and the Secretariat would make every effort to ensure that outstanding assessments were paid and troop-contributing countries reimbursed. His Government looked forward to the Secretary-General's

(Mr. Gokhale, India)

report on all aspects of the administration and management of UNTAC, with a view to the utilization of that experience in other peace-keeping operations.

6. The CHAIRMAN said that, if she heard no objection, she would take it that the Committee wished to adopt draft resolution A/C.5/48/L.67 without a vote.

7. Draft resolution A/C.5/48/L.67 was adopted without a vote.

8. Mr. ZEVELAKIS (Greece) welcomed the adoption of the draft resolution and expressed his delegation's appreciation to the representative of Mexico for her coordination of the effort to achieve consensus.

9. Mr. TAKASU (Controller) said that he wished to clarify the Secretariat's position on paragraph 9 of the draft resolution. Of the amount of $32,562,900 gross to be covered by interest income and miscellaneous income in the Special Account for the Advance Mission and the Transitional Authority, less than $20 million had accrued in the account of UNTAC. Should any difficulties arise as a result, the Secretariat would return to the issue in the context of the financial performance report requested in paragraph 10.

10. The CHAIRMAN said that the Committee had thus concluded its consideration of agenda item 135 and requested the Rapporteur to report thereon direct to the plenary Assembly.

AGENDA ITEM 174: FINANCING OF THE UNITED NATIONS MILITARY LIAISON TEAM IN CAMBODIA (continued) (A/C.5/48/L.68)

11. Ms. PEÑA (Mexico), introducing draft resolution A/C.5/48/L.68, said that, in paragraph 2, the General Assembly would reaffirm that the office referred to in paragraph 12 of the report of the Secretary-General (A/48/800 and Corr.1) was to be called a field office of the United Nations development system. In paragraph 7, it would decide to appropriate to the Special Account referred to in General Assembly decision 48/480 an amount of $910,400 gross for the operation of the United Nations Military Liaison Team in Cambodia for the period from 15 November 1993 to 15 May 1994. In paragraph 8, it would decide also, as an ad hoc arrangement, to apportion the additional amount of $153,900 gross for the period from 15 November 1993 to 15 May 1994. The Secretary-General would be requested in paragraph 10 to submit to the General Assembly at its forty-ninth session a performance report on the budget of the Military Liaison Team for the mandate period ending 15 May 1994. Finally, in paragraph 11, the General Assembly would decide to include in the provisional agenda of its forty-ninth session the item entitled "Financing of the United Nations Military Liaison Team in Cambodia". She hoped that the Committee would be able to adopt the resolution without a vote.

12. The CHAIRMAN said that, if she heard no objection, she would take it that the Committee wished to adopt draft resolution A/C.5/48/L.68 without a vote.

13. Draft resolution A/C.5/48/L.68 was adopted without a vote.

14. The CHAIRMAN said that the Committee had thus concluded its consideration of agenda item 174 and requested the Rapporteur to report thereon direct to the plenary Assembly.

AGENDA ITEM 123: PROPOSED PROGRAMME BUDGET FOR THE BIENNIUM 1994-1995 (continued) (A/C.5/48/L.64/Rev.1)

15. The CHAIRMAN, introducing draft resolution A/C.5/48/L.64/Rev.1 on emoluments, pension scheme and conditions of service for the members of the International Court of Justice, said that delegations had reached a consensus on the draft text, which she hoped could be adopted without a vote.

16. Draft resolution A/C.5/48/L.64/Rev.1 was adopted without a vote.

17. The CHAIRMAN said that the Committee had thus concluded that stage of its consideration of agenda item 123.

AGENDA ITEM 130: FINANCING OF THE UNITED NATIONS PEACE-KEEPING FORCES IN THE MIDDLE EAST (continued)

(a) UNITED NATIONS DISENGAGEMENT OBSERVER FORCE (continued) (A/C.5/48/L.66)

18. Mr. MERIFIELD (Canada), introducing draft resolution A/C.5/48/L.66 on the financing of the United Nations Disengagement Observer Force (UNDOF) drew attention to paragraph 3, in which the General Assembly would express its deep concern about the status of contributions to UNDOF as of 31 March 1994, and to paragraph 4, concerning the adverse effect that the deteriorating financial situation had on reimbursement to troop contributors. In paragraph 12, it would note with appreciation that a voluntary contribution had been made to UNDOF by a Government and in paragraph 13 it would decide to appropriate to the Special Account referred to in section II, paragraph 1, of General Assembly resolution 3211 B (XXIX) the amount of $18,204,000 gross for the period from 1 June to 30 November 1993, inclusive. It would decide also in paragraph 14 to appropriate to the Special Account an amount of $16,080,000 gross for the period from 1 December 1993 to 31 May 1994. The Secretary-General would be authorized in paragraph 18 to enter into commitments for UNDOF at a rate not to exceed $2,680,000 gross per month for the six-month period from 1 June 1994. In paragraph 20, he would also be requested to include in his next report to the General Assembly on the financing of UNDOF comments on the feasibility of a gradual reduction of the surplus balance, taking into account the financial situation of the Force, the status of reimbursement to troop-contributing countries and the views expressed by Member States. He hoped that the draft resolution, which had been submitted by the Chairman following informal consultations, could be adopted without a vote.

19. Mr. BARIMANI (Islamic Republic of Iran) said that his delegation's position on the financing of the United Nations peace-keeping forces in the Middle East remained unchanged.

20. The CHAIRMAN said that, if she heard no objection, she would take it that the Committee wished to adopt draft resolution A/C.5/48/L.66 without a vote.

21. Draft resolution A/C.5/48/L.66 was adopted without a vote.

(b) UNITED NATIONS INTERIM FORCE IN LEBANON (continued) (A/C.5/48/L.65)

22. Mr. MERIFIELD (Canada), introducing draft resolution A/C.5/48/L.65 on the financing of the United Nations Interim Force in Lebanon (UNIFIL), said that paragraph 2 of the draft resolution would express the General Assembly's deep concern about the adverse effect of the deteriorating financial situation on reimbursement to troop contributors, which placed an additional burden on those countries and put at risk the continuing supply of troops to UNIFIL. In paragraph 10, the General Assembly would decide to appropriate to the Special Account for UNIFIL the amount of $146,280,000 gross for the operation of the Force from 1 February 1993 to 31 January 1994, inclusive. It would decide also, in paragraph 11, to appropriate to the Special Account a total amount of $71,142,000 gross for the period from 1 February to 31 July 1994 and, as an ad hoc arrangement (para. 12), to apportion the additional amount of $48,265,400 gross for the period from 1 February to 31 July 1994. Paragraph 15 would authorize the Secretary-General to enter into commitments for the operation of the Force at a rate not to exceed $11,857,000 gross per month for a period up to six months beginning 1 August 1994. Lastly, the Secretary-General would be requested in paragraph 17 to include in his next report to the General Assembly on the financing of UNIFIL comments on the feasibility of a gradual reduction of the surplus balance. He hoped that the draft resolution, which had been submitted by the Chairman following informal consultations, could be adopted without a vote.

23. The CHAIRMAN said that, if she heard no objection, she would take it that the Committee wished to adopt draft resolution A/C.5/48/L.65 without a vote.

24. Draft resolution A/C.5/48/L.65 was adopted without a vote.

25. The CHAIRMAN said that the Committee had thus concluded its consideration of agenda item 130 (a) and (b) and requested the Rapporteur to report thereon direct to the plenary Assembly.

ORGANIZATION OF WORK

26. Mrs. GRAHAM (United States of America), referring to the items on its programme of work which the Committee proposed to defer to its forty-ninth session, said that her delegation would prefer to consider the question of staff assessment under agenda item 123 in June or July instead of in early May. In addition, like a number of other delegations, it would prefer to consider the 1994-1995 programme budget items on standards of accommodation for air travel, travel and related expenses, the proposals of the Secretary-General on the provision of and related arrangements for travel services and allowance, together with the corresponding reports of the Advisory Committee, during the resumed forty-eighth session, instead of at the forty-ninth session.

27. Mr. ZAHID (Morocco) said that his delegation attached great importance to the creation of a new budget section relating to the New Agenda for Development in Africa for the 1990s. The item should therefore be considered during the resumed forty-eighth session and not deferred to the forty-ninth session. Similarly, the item concerning the abolition of 19 posts in the Office of Conference Services should be considered in June during the resumed forty-eighth session. In his view, a report from the Advisory Committee on the matter was not necessary. Agenda item 133, on the financing of MINURSO, scheduled for July, should also be considered in June.

28. On the other hand, the report of the Secretary-General on the issue of workload justification in the Centre for Human Rights, scheduled for consideration in June 1994, should be deferred to the forty-ninth session. Given the difficulty of achieving consensus during the resumed forty-eighth session on the placement of Member States into the groups for the apportionment of peace-keeping expenses, that item should also be deferred to the forty-ninth session. If the Secretariat did not consider urgent the item on amendments to Staff Rules (agenda item 168), that item as well should be deferred to the forty-ninth session.

29. Lastly, the sub-item on the senior posts structure of the Department of Administration and Management under agenda item 123 should be considered in July 1994 or at the forty-ninth session, instead of in June 1994, as currently proposed.

30. Ms. IIYAMBO (Namibia), Mr. DJACTA (Algeria) and Mr. MAÏGA (Mali) agreed with the representative of Morocco that the report of the Secretary-General on the creation of a new budget section relating to the New Agenda for Development in Africa for the 1990s should be considered at the resumed session in June.

31. Mr. MERIFIELD (Canada) supported by Mr. SHARP (Australia) said that he would welcome clarification on the status of programme budget implications concerning the Centre for Human Rights, and the Office of the High Commissioner for Human Rights, and the implementation of the results of the Vienna World Conference on Human Rights and Cambodia.

32. Mr. GOUDYMA (Ukraine), referring to the report of the Working Group on the placement of Member States into the groups for the apportionment of peace-keeping expenses, said that the decision to move his country and Belarus from Group B to Group C should be reflected in the programme of work as a separate item on the agenda.

33. Ms. ROTHEISER (Austria) suggested that the Committee should consider meeting throughout the month of June in order to dispatch priority issues under agenda items 123, 124 and 138. Reference should be made to the document on the staff list of the United Nations Secretariat under agenda item 168. The amendments to the Staff Rules could be dealt with at the forty-ninth session.

34. Mr. CLAVIJO (Colombia) referring to agenda item 123, said that since issues relating to energy and natural resources should be considered by the Second Committee and the Economic and Social Council before being submitted to the Fifth Committee, that particular matter could either be deferred to the resumed forty-eighth session in July or to the forty-ninth session.

35. Mr. PRASODJO (Indonesia) said that his delegation would prefer a longer session in June and a shorter session in July.

36. Mr. MSELLE (Chairman of the Advisory Committee on Administrative and Budgetary Questions), replying to the Canadian and other representatives, noted that the approval of the staffing resources for the Centre for Human Rights under General Assembly resolution 48/228 had not been contingent upon the submission of a report by the Secretary-General on the issue of workload justification. If documentation on the question was not available by June and no additional resources were involved, he saw no harm in deferring consideration of the question to the forty-ninth session.

37. However, he did not recommend postponing consideration of the questions relating to the requirements for the Commissioner for Human Rights and the United Nations presence in Cambodia. The Advisory Committee had recommended a commitment authority for the establishment of the United Nations High Commissioner for Human Rights and was awaiting information from the Secretariat concerning organizational and other arrangements before it made a detailed analysis of the statement of programme budget implications. The High Commissioner had indicated to him that discussions concerning additional requirements were still under way. If additional resources were requested, the Advisory Committee would have to consider whether such resources should be approved during the resumed forty-eighth session or whether the question could be deferred to the forty-ninth session.

38. That morning, he had held a discussion with the new Under-Secretary-General for Administration and Management concerning the integrated management information system (IMIS). It seemed that an additional document might be submitted, which might affect the dates on which the documentation prepared by the Advisory Committee would be available. If additional information on IMIS was provided in two or three weeks, the question might have to be taken up in July. The Advisory Committee would keep the Fifth Committee informed.

39. Replying to the Canadian representative's question with regard to the performance report, he said that the credit to Member States related to the final transfer of credits between sections of the budget would not be made until the Board of Auditors had audited the programme budget for the biennium 1992-1993 and its report had been considered by the General Assembly. Thus, outstanding credits would not be made in 1994 and consideration of that question in June would not expedite credits to Member States.

40. Mr. TAKASU (Controller) referred to the programme of work and provided additional clarification concerning the status of documentation. Referring to the resumed session in June, he said that discussion of the integration of the Office for Project Services (OPS)/UNDP in the Department for Development Support

(Mr. Takasu)

and Management Services, the senior structure of the Department of Administration and Management and the proposals of the Secretary-General on distribution of responsibilities and resources regarding energy and natural resources under agenda item 123 were all related to the restructuring effort. The proposal submitted by the Secretary-General to the forty-eighth session had not covered certain areas. It was hoped that once pending issues were resolved, the consultation period could begin. The report of the Secretary-General submitted to the Executive Board of UNDP would be taken up in a matter of days. The report on the senior structure of the Department of Administration and Management had been reviewed and was ready for submission. It was sincerely hoped that the Secretary-General's proposal would be adopted. Although it had been the Secretary-General's original intention to submit the report on the decentralization of responsibilities and resources regarding energy and natural resources to the forty-eighth session, consultations among the secretariats concerned had not been completed at that time. The Secretariat hoped that the transfer of responsibilities and staff would be implemented by 1 July 1994. Urgent action by the Committee was necessary.

41. Referring to the question of human rights, he said that the report on the issue of workload justification in the Centre for Human Rights focused merely on one aspect, namely staffing and other related resources for the High Commissioner for Human Rights and the human rights programme in Cambodia. Spending authority had been granted for the establishment of the High Commissioner, but resources for the human rights programme in Cambodia had been approved only until the end of June. The matter required urgent attention.

42. The report of the Secretary-General under agenda item 138 (a) not only dealt with criteria to ensure transparency in the use of the support account for peace-keeping operations but also contained proposals on recruitment and activities to be financed by the support account after 1 July 1994. As the authority in respect of the support account had been granted only until the end of June, it would be extremely difficult for the Secretariat to continue to backstop certain peace-keeping operations unless action was taken urgently. Referring to agenda item 168, on personnel questions, he said that the staff rules in question referred to contracts of limited duration, mainly in connection with peace-keeping missions. While the Secretariat would like to utilize the simplified procedure proposed, the amendments had been submitted to the General Assembly for its consideration in view of their significant implications for personnel policies.

43. The Secretariat would make every effort to submit reports on specific peace-keeping operations by the deadlines specified in the programme of work for the July session. Those activities must be approved by the General Assembly before the forty-ninth session.

44. The CHAIRMAN added that the Fifth Committee would request the Committee on Conferences to review the question of the abolition of 19 posts in the Office of Conference Services and of the workload standards for conference-servicing staff and report to the forty-ninth session of the General Assembly. That item would thus be deferred to the forty-ninth session. She stressed that action must be

(The Chairman)

taken urgently with respect to the High Commissioner for Human Rights, the human rights programme in Cambodia, the integration of OPS/UNDP, the decentralization of responsibilities and resources in the energy and natural resources programme, and the support account for peace-keeping operations. With respect to the Staff Rules, she noted that a staff list would be made available shortly. She wondered whether delegations would be prepared to consider certain pressing items during the June session rather than waiting until July. The programme of work could be flexible, depending on the availability of documentation.

45. Mr. ZAHID (Morocco) agreed that the proposals concerning energy and natural resources (agenda item 123) should be considered in June. Consideration of the senior structure of the Department of Administration and Management and the issue of workload justification, which the Committee had been assured would have no effect on the resources of the Centre for Human Rights, could be deferred to the forty-ninth session. Referring to agenda item 138 (b), he said that the reclassification of Ukraine and Belarus could be considered during the June session but that other aspects of the question should be deferred to the forty-ninth session. It was not necessary to consider agenda item 168 on personnel questions in June but his delegation would agree to do so if the Secretariat insisted.

46. The CHAIRMAN noted that the Colombian delegation had deemed it essential to consider the issue of workload justification during the June session.

47. Ms. IIYAMBO (Namibia) agreed with the Moroccan representative that the report of the Secretary-General on the creation of a new budget section relating to the New Agenda for Development in Africa (agenda item 123) should not be deferred to the forty-ninth session but rather should be considered during an extended June session.

48. Ms. ROTHEISER (Austria) said that her delegation believed that the questions of the structure of the Centre for Human Rights and the report on workload justification should be considered during the June session but that agenda item 168 was not so urgent. Her delegation proposed holding a continuous six-week session in June and July.

49. Mr. DJACTA (Algeria) noted that the inclusion of all the peace-keeping operations in the programme of work for the July session reflected a consensus which had been reached during informal consultations. His delegation could not agree, however, to considering certain aspects of the MINURSO operation in June and other aspects in July. The question should be considered in its entirety during the June session. His delegation saw no reference to any request for a report in paragraph 15 of the resolution on the financing of MINURSO.

50. Mr. JU Kuilin (China) noted that, at the Committee's previous meeting, his delegation had proposed according priority to the question of the creation of a new budget section relating to the New Agenda for Development in Africa. The New Agenda was a priority activity under the medium-term plan for the period 1992-1997. His delegation therefore supported the Moroccan, Namibian and Algerian positions concerning it.

51. Mr. ZEVELAKIS (Greece) said that his delegation would agree to a session of any duration and would accept the inclusion of certain agenda items in the programme of work for the June session rather than deferring them to the forty-ninth session. In view of the Controller's remarks concerning agenda item 168 and the importance of ensuring that the staffing of the peace-keeping operations was consistent with the Staff Rules, that item should be dealt with on a priority basis.

52. Mr. GOUDYMA (Ukraine) noted that the reclassification of Belarus and Ukraine should be reflected as a separate item in the programme of work to be considered once the report of the Working Group on the placement of Member States into the groups for the apportionment of peace-keeping expenses had been submitted. The fact that the Working Group had met only once in the past six months and was slow to draft criteria concerning the placement of Member States did not justify deferral of the question to the forty-ninth session. Item 138 (b) should be taken up during the June session.

53. Mr. SULEIMAN (Nigeria) agreed with the Namibian and Chinese representatives that consideration of the creation of a new budget section relating to the New Agenda for Development in Africa should not be deferred.

54. The CHAIRMAN said that the Bureau would redraft the programme of work taking into consideration the views expressed and that the scheduling of the June and July sessions would depend largely on the availability of the reports of the Secretary-General and of the Advisory Committee.

The meeting rose at 5.10 p.m.